

## **REMARKS**

### **1. STATUS OF THE SPECIFICATION**

The Specification has been amended to claim priority to previously filed applications.

### **2. STATUS OF THE CLAIMS**

Originally filed Claims 1-19 are pending.

Claims 1-6 and 15-19 are currently withdrawn as being directed to a non-elected invention.

Claim withdrawal were made to describe particular embodiments of the invention, notwithstanding Applicants' belief that the withdrawn claims would have been allowable, without acquiescing to any of the Examiner's arguments, and without waiving the right to prosecute the withdrawn (or similar) claims in another application, but rather for the purpose of furthering Applicants' business goals and expediting the patent application process in a manner consistent with the PTO's Patent Business Goals (PBG).<sup>1</sup>

### **3. RESTRICTION**

The Examiner the claims into the following three Groups:

**Group I**, "claim(s) 1-6 and 19, drawn to an isolated nucleotide sequence comprising SEQ ID NO:57, which specially binds RelB Rel homology domain,"

**Group II**, "claim(s) 7-14, drawn to a method for identifying one or more test compounds that alters binding of RelB Rel homology domain by contacting the isolated nucleotide sequence of claim 1 in the presence or absence of compounds, detecting altered specific binding of RelB RHD to said sequence," and

**Group III**, "claims 15-18, drawn to a method for expression of a nucleic acid sequence of interest comprising contacting a cell comprising the isolated nucleotide sequence comprising SEQ ID NO: 57 with a polypeptide comprising RelB Rel homology domain, wherein the binding of RelB Rel homology domain to said sequence results in the expression of the nucleic acid of interest."

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<sup>1</sup> 65 Fed. Reg. 54603 (September 8, 2000).

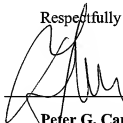
4. **ELECTION**

Applicants elect **Group II**, "claim(s) 7-14, drawn to a method for identifying one or more test compounds that alters binding of RelB Rel homology domain by contacting the isolated nucleotide sequence of claim 1 in the presence or absence of compounds, detecting altered specific binding of RelB RHD to said sequence," **without** traverse.

Applicants' election is made without acquiescing to the Examiner's allegation that "the special technical feature of Group I "is shown by Evans et al. (US 5,851,760 see SEQ ID NO: 521) to lack novelty or inventive step over the disclosed sequence."<sup>2</sup>

Respectfully submitted,

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<sup>2</sup> Office Action, page 2, last paragraph.